



February 14, 2006

ENGROSSED SENATE BILL No. 172

DIGEST OF SB 172 (Updated February 8, 2006 1:18 pm - DI 109)

Citations Affected: IC 20-28.

Synopsis: Teacher shortages. Allows the governing body of a school corporation or an accredited nonpublic school to hire an individual who is in the process of obtaining a teacher's license under the transition to teaching program, if the individual: (1) is obtaining a license in a subject area; or (2) will be teaching in a school that is located in a school corporation; in which there is an insufficient supply of licensed teachers, as designated by the state board of education. Requires the superintendent of a school corporation to make a determination that either no fully licensed and highly qualified teacher is available or that the transition to teaching program participant is the best qualified for the position before hiring the program participant. Provides that a program participant who is hired to teach receives a transition to teaching permit, and enters into a regular or temporary teacher's contract. Requires the state board to review the designation of a subject area or school corporation as having an insufficient supply of licensed teachers every two years.

Effective: July 1, 2006.

Lubbers, Delph

(HOUSE SPONSOR — BEHNING)

January 9, 2006, read first time and referred to Committee on Education and Career Development.

January 12, 2006, reported favorably — Do Pass.

January 19, 2006, read second time, amended, ordered engrossed.

January 20, 2006, engrossed.

January 23, 2006, read third time, passed. Yeas 31, nays 15.

HOUSE ACTION

February 2, 2006, read first time and referred to Committee on Education.

February 13, 2006, amended, reported — Do Pass.

C
o
p
y

ES 172—LS 6789/DI 71+



February 14, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 172

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-28-1-2, AS ADDED BY P.L.246-2005,
2 SECTION 133, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2006]: Sec. 2. "Applicant" refers to an applicant
4 for:

5 (1) a new license;
6 (2) a renewal license; ~~or~~
7 (3) a substitute teacher certificate; **or**
8 **(4) a transition to teaching permit;**
9 issued by the department.

10 SECTION 2. IC 20-28-4-11 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2006]: **Sec. 11. (a) This section applies only to:**

13 (1) a school corporation; **or**
14 (2) a subject area;
15 **that is designated by the state board as having an insufficient**
16 **supply of licensed teachers.**
17 (b) The governing body of a school corporation or the

ES 172—LS 6789/DI 71+



C
o
p
y

1 appointing authority of an accredited nonpublic school may
 2 employ a program participant if the program participant is hired
 3 to teach in a subject area or a school corporation to which this
 4 section applies.

5 (c) Before employing a program participant under subsection
 6 (b), the superintendent of the school corporation must make a
 7 determination that one (1) of the following conditions exists:

8 (1) There is no fully certified and highly qualified teacher
 9 available for the position.

10 (2) The program participant is the best qualified candidate for
 11 the position.

12 (d) A program participant who is employed under this section
 13 is eligible to receive a transition to teaching permit. The transition
 14 to teaching permit is valid for three (3) years, and may not be
 15 renewed. IC 20-28-5-9 applies to a program participant who
 16 applies for a transition to teaching permit.

17 (e) A program participant who is employed under this section:

18 (1) shall enter into either:

19 (A) a regular teacher's contract under IC 20-28-6-5; or

20 (B) a temporary teacher's contract under IC 20-28-6-6, if
 21 replacing a teacher on a leave of absence;

22 (2) is eligible to participate in a mentor teacher program; and

23 (3) satisfies the field or classroom experience component of
 24 the program under section 4(3) of this chapter.

25 (f) The state board:

26 (1) shall review; and

27 (2) may renew;

28 the designation of a school corporation or a subject area as having
 29 an insufficient supply of licensed teachers not more than two (2)
 30 years following the initial designation under subsection (a).

C
o
p
y



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 172, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 172 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 6, Nays 2.

SENATE MOTION

Madam President: I move that Senator Delph be added as coauthor of Senate Bill 172.

LUBBERS

SENATE MOTION

Madam President: I move that Senate Bill 172 be amended to read as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 20-28-1-2, AS ADDED BY P.L.246-2005, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. "Applicant" refers to an applicant for:

- (1) a new license;
- (2) a renewal license; **or**
- (3) a substitute teacher certificate; **or**
- (4) a transition to teaching permit;**

issued by the department."

Page 2, delete line 1.

Page 2, line 2, delete "(d) This subsection" and insert "SECTION 2. IC 20-28-4-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 11. (a) This section**".

Page 2, line 3, delete "geographic area;" and insert "**school corporation**";

Page 2, line 6, after "teachers." begin a new paragraph and insert

ES 172—LS 6789/DI 71+



C
o
p
y

"(b)".

Page 2, line 8, delete "an individual who is in the process of obtaining" and insert **"a program participant"**.

Page 2, delete line 9.

Page 2, line 10, delete "to teaching program established by IC 20-28-4-2".

Page 2, line 10, delete "individual" and insert **"program participant"**.

Page 2, line 11, delete "geographic area" and insert **"school corporation"**.

Page 2, line 12, delete "subsection" and insert **"section"**.

Page 2, delete lines 13 through 15, begin a new paragraph and insert:

"(c) Before employing a program participant under subsection (b), the superintendent of the school corporation must make a determination that one (1) of the following conditions exists:

(1) There is no fully certified and highly qualified teacher available for the position.

(2) The program participant is the best qualified candidate for the position.

(d) A program participant who is employed under this section is eligible to receive a transition to teaching permit. The transition to teaching permit is valid for three (3) years, and may not be renewed. IC 20-28-5-9 applies to a program participant who applies for a transition to teaching permit.

(e) A program participant who is employed under this section:

(1) shall enter into either:

(A) a regular teacher's contract under IC 20-28-6-5; or

(B) a temporary teacher's contract under IC 20-28-6-6;

(2) is eligible to participate in a mentor teacher program; and

(3) satisfies the field or classroom experience component of the program under section 4(3) of this chapter.

(f) The state board:

(1) shall review; and

(2) may renew;

the designation of a school corporation or a subject area as having an insufficient supply of licensed teachers not more than two (2) years following the initial designation under subsection (a)."

Renumber all SECTIONS consecutively.

(Reference is to SB 172 as printed January 13, 2006.)

LUBBERS

**C
O
P
Y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 172, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 20, delete "IC 20-28-6-6;" and insert "**IC 20-28-6-6, if replacing a teacher on a leave of absence;**".

and when so amended that said bill do pass.

(Reference is to SB 172 as reprinted January 20, 2006.)

BEHNING, Chair

Committee Vote: yeas 9, nays 2.

C
o
p
y

